

REMARKS**Rejection of Claims 1-4, 6-7, 11-14, 16, 18-23, and 27 Under 35 U.S.C. 102**

Claims 1-4, 6-7, 11-14, 16, 18-23, and 27 have been rejected under 35 USC §102 as being anticipated by Cronin et al. According to the Examiner, Cronin “teaches that several DNA samples were analyzed to determine the haplotype, identity at more than one SNP.” Applicant disagrees.

Cronin et al, does not describe a method for determining a haplotype. Cronin does demonstrate a method of genotyping multiple SNPs within a given amplified product. The determination of an individual genotype at multiple loci, however, does not determine a haplotype. As described in the specification of the instant patent application (page 12 lines 3-6), a haplotype “refers to an ordered combination of alleles in a defined genetic region that co-segregate. Such alleles are said to be ‘linked’.” The method described by Cronin does not describe the order of the SNP alleles on the parental chromosomes, which is the haplotype. In fact, on page 253 Cronin et al teaches that one of the limitations of the method described therein is that “Allelic linkage relationships between mutations and polymorphisms are lost.” (page 253, column 2, last paragraph). Thus the claims are not anticipated because Cronin et al. does not teach each element of the claimed invention.

Rejection of Claims 1-4, 6-7, 11, 14, 16, 18-19, 22-23, and 25-28 Under 35 U.S.C. 102

Claims 1-4, 6-7, 11, 14, 16, 18-19, 22-23, and 25-28 have been rejected under 35 USC §102 as being anticipated by Gentalen et al.

Gentalen does not anticipate the pending claims because Gentalen does not disclose each element of the pending claims. Gentalen describes a method of genetic analysis using arrays of pooled probes. The pooled probes include two or more component probes that are both complementary to nonoverlapping segments of the same target sequence. (column 14 second full paragraph). The purpose of the pooled probes is to determine cooperative binding effects. The use of the Gentalen pooled probes does not allow the identification of a single SNP. The pending claims recite a method which involves capturing a nucleic acid on a surface to identify a first allele of the first SNP and separately analyzing a second SNP. Gentalen does not perform this step using the pooled probe method. Thus the claims are not anticipated by Gentalen.

Rejection of Claims 5 and 9-10 Under 35 U.S.C. 103(a)

Claims 5 and 9-10 were rejected in the Office Action under 35 U.S.C. §103(a) as being unpatentable over Cronin et al., in view of Newton.

As discussed above, the primary reference, Cronin et al, does not describe the identification of a haplotype, as claimed in the pending claims. Newton does not make up for this deficiency. Thus, the combination of references does not result in all of the claimed elements.

Rejection of Claims 5, 12-13, and 25-26 Under 35 U.S.C. 103(a)

Claims 5, 12-13, and 25-26 were rejected in the Office Action under 35 U.S.C. §103(a) as being unpatentable over Cronin et al., in view of Walt et al..

As discussed above, the primary reference, Cronin et al, does not describe the identification of a haplotype, as claimed in the pending claims. Walt et al does not make up for this deficiency. Thus, the combination of references does not result in all of the claimed elements.

Rejection of Claim 15 Under 35 U.S.C. 103(a)

Claim 15 was rejected in the Office Action under 35 U.S.C. §103(a) as being unpatentable over Cronin et al., in view of Arnold et al..

As discussed above, the primary reference, Cronin et al, does not describe the identification of a haplotype, as claimed in the pending claims. Arnold et al does not make up for this deficiency. Thus, the combination of references does not result in all of the claimed elements.

It is believed that all of the pending claims are now allowable. If the Examiner has any questions or comments, he is encouraged to contact Applicants' representative at the number listed below.

Respectfully submitted,

John Landers, Applicant(s)

By:

Helen C. Lockhart
Helen C. Lockhart, Reg. No. 39,248
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210
Telephone: (617) 720-3500

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